

CALIFORNIA APPRENTICESHIP COUNCIL QUARTERLY MEETING
MINUTES OF THE MEETING

RADISSON HOTEL, SACRAMENTO, CA
JANUARY 25-26, 2007

THURSDAY, JANUARY 25, 2007

- I. CONVENE REGULAR QUARTERLY MEETING TO ORDER – January 25, 2007
Commissioner Turchen called the meeting to order at 1:30 p.m.
 - A. Pledge of Allegiance
Commissioner Millan led the Pledge of Allegiance.
 - B. Roll Call
The following Commissioners were present: Bert Tolbert, Dick Zampa, Jr., Dina Kimble, William Callahan, Jr., Leo Garcia, Anne Quick, Max Turchen, Jose Millan, Aram Hodess, and John Rea. Absent were Commissioners Carole Cresci - Colbert, Patrick McGinn, Neil Struthers, Marvin Kropke and Wayne Lindholm. A quorum was present.
 - C. Commissioner Max Turchen introduced the CAC's new chairperson for 2007, Cedric Porter. Commissioner Porter presented Commissioner Turchen with a plaque and gavel in appreciation for his years of service to the CAC and as Chairperson for 2006.
 - D. It was moved and seconded that the minutes of the last CAC quarterly meeting held on October 26-27, 2006, be accepted as written. All were in favor. The motion was carried.
 - E. Announcements – There were none at this time.
 - F. Communications:
 1. Commissioners McGinn and Lindholm communicated to the CAC that they were unavailable to attend this meeting due to prior scheduled commitments.
 2. DAS' 60-day response to its audit by the Bureau of State Audits.
 3. Program audit status and the WECA audit results.
- II. EXECUTIVE SESSION
Julian Standen from the Attorney General's Office had no actions to report; therefore, there was no executive session.
- III. BUSINESS SESSION
 - A. LEGAL MATTERS
 1. OATELS – De-recognition Proceedings – 29 CFR 29.13.
No ruling has been made.
 2. California Pipe Trades, et. al. v CAC, San Francisco Superior Court – Still pending in the Court of Appeals. Oral arguments are expected any time soon.

3. [Plasterers' Union v CAC](#) - In the initial stages of litigation and the administrative record is still being assembled. No trial date has been set.

B. Old Business

1. Electrician Certification Report and Possible Action.
 - a. Luisa Martinez from the DAS Electrician Certification Unit gave an update on the electrician certification process as of December 31, 2006. Her report is attached.
 - b. Task Force Update
Commissioner Quick gave a report about the meeting of the Task Force yesterday, January 24, 2007. This group tries to resolve issues that do not require rulemaking. It is strictly advisory to the Chief and is made up of union and non-union members. They are currently working on two drafts of an education piece that will go to the trainee to walk them through the steps of enrollment in the approved schools. Comments that came out of this were:
 1. The approved schools listed in the DIR website need to indicate if they are teaching the general, residential or fire life safety classes and the number of hours for the class.
 2. Who could provide continuing education credits?
This would probably go through rulemaking.
 3. Additional questions that can be resolved will be listed in the "Frequently Asked Questions" that will be posted on the website.

Chief Rowan noted that at present, only 1,500 residential electricians are certified and the pass rate is only 35%.

The chief noted that the division has calculated that contact between the state and individual electricians totals approximately 57,000 electricians at this time but only about 41,500 are currently able to work legally.

Eddie Bernacchi, on behalf of the Electrical Certification Committee, comprised of National Contractors Association IBEW, discussed the possibility of considering a further grace period for electricians in the residential category that would give them until the end of 2007 to become certified. He indicated that it might also make sense to seek legislation to revise the ratio of 1 certified electrician to 1 trainee to 1 to 3.

Chairperson Porter opened the floor for comments on this issue:

- a) Commissioner Quick, noted that the deadline had been extended three or four times before and asked Mr. Bernacchi to further elaborate on why he thought an extension would solve

the problem. Mr. Bernacchi explained that he was not proposing an extension but rather some type of amnesty that, coupled with the possibility of a revised ratio might encourage those who have not participated to come forward with the support of their employers.

- b) Jerry Mitten, owner of a small electrical company, declared that people do not pass the test because they are not being given the proper training. He felt it was unfair to contractors like him who take the time to train his people properly, if the Council allowed further extension of the deadline again. He urged the Council to enforce the deadline.
- c) Mark Cooper, with H&D Electric in Sacramento and a member of WECA, felt that extending the deadline would cause people to delay getting their certification. The solution is for CAC to enforce the law. He is not against changing the ratio to 1:3.
- d) Greg Anderson with Rex Moore Electrical, stated that until the deadline is real and there is some enforcement, this will never work. ~~He~~They firmly believes in maintaining the January 1, 2007 deadline. He supports the 1:3 ratio because the supervision can still be effective and it meets the needs of the housing market for skilled crafts people.
- e) Dan Whooley, training director of San Francisco Electrical JATC agreed towards enforcement of the deadline. On the proposed change on the ratio, there should be a sunset provision; otherwise, it would be undermining apprenticeship.
- f) Matt Tennis, from ABC, did not support any additional extensions to the deadline.
- g) Terry Seabury, from WECA, expressed that efforts should be concentrated on helping these people pass the test by giving them more course materials and affordable classes to get them up to an ~~educational level~~educational level where they can pass. She would like to see the Council look at enforcement and ways on helping educate those areas of the test takers with education and language ~~barriers~~barriers.

The Council met for a brief executive session.

Chief Rowan informed the group of some key actions that the Contractors' State License Board was planning on taking in support of electrician certification. He also reported that DAS will participate in the Electric West Trade Show, February 21-23 in Long Beach to answer questions about certification issues, as part of an outreach program to educate C10 contractors. The Chief commented that it is anticipated that the formal rulemaking process will begin before mid-year to clarify confusing wording in the California Code of Regulations related to electrician certification.

C. Automatic Orders of the Council
Pacifica Convalescent Vocational Nurse

D. Notice of Appeals to the Council During the Quarter – None

~~E.~~ Apprentice Complaint Findings/Decisions by the Administrator of [Apprenticeship Case](#) [Apprenticeship Case](#) 2004-32; Reina Miller v CA. Department of Corrections, Corcoran State Prison. [-](#)

E. The Administrator of Apprenticeship determined that the complaint should be dismissed without merit.

F. Apprenticeship Hall of Fame Plan – Ms. Galang discussed the planned location of the Apprenticeship Hall of Fame. The wall in the DIR lobby on the tenth floor in the state building in San Francisco will be dedicated for this. The group was asked to look through the handout that listed the inductees to check for completeness and accuracy of the names before they get engraved on the nameplates that will be put in a plaque. Ms. Galang will make the necessary corrections of incorrect names and welcomed suggestions regarding the Apprenticeship Hall of Fame. Suggestions can be emailed to her at Agalang@dir.ca.gov.

~~G.~~ [G.](#) [G.](#) New Business

1. Report on Minimum Industry Criteria Committee Assignments - Commissioner Porter revealed the committee members assigned to the Construction Craft Laborer and the Sound and Communications Technician groups. List is attached.
2. DAS Public Works Update – Chief Rowan introduced Ms. Pacia Parker from the DAS Public Works Section who gave a report on Public Works complaints, education, enforcements and other activities. Her report is attached.

IV. FORUM – IMPROVING GRADUATION RATES

Ms. Renee Bacchini, Public Information Officer of DIR, put together a power point presentation and gave an update on the bond measures that passed in the recent election. The money (\$14B) for some public works projects that have been approved in the field of security and disaster preparedness will be available at the beginning of the fiscal year after June 2007. She presented the completion rates of the different trades and showed that some had really low graduation rates. To gain some insight on how to improve graduation rates, a bi-lingual survey will be mailed out to each apprentice who failed to complete his/her program. The following representatives of different trades that had good graduation rates shared their current practices:

1. Paula Resa, District Coordinator for the Carpenters Apprenticeship Program in the Morgan Hill Area.
2. Mark Gonzalez from Northern California Cement Masons
3. Alan Darney from Reno Electricians JATC
4. Carl Cimino from Pipe Trades of Santa Clara

5. Scott Gordon from Laborers of Southern California

Ms. Bacchini summarized the Best Practices for Completion of Apprenticeship Programs (attached.) This will be posted in the website and will be given out to the consultants in the field.

COMMENTS/QUESTIONS:

1. On the survey mailed out to the apprentices who drop before the completion of their program, Commissioner Hodess suggested more choices for the answer to the question: "What caused you to leave the program prior to graduation?" In his experience, there were apprentices that dropped out because of family obligations, or distance from their homes to their work. Chief Rowan encouraged people to send their comments and/or suggestions to him regarding the survey. He will test the process and see how many respond to the survey. Information extracted from the responses will be shared. Chairperson Porter reinforced Chief Rowan's need for feedback on the survey.
2. On the question about the graduation rates being based after the first year of the program, Chief Rowan clarified that the first probationary year was the best time to sort out if the apprentices would make it or not.
3. A representative from the Fire Fighters declared that since the survey was being mailed out to all apprentices, this could create some confusion for those in the fire fighter's apprenticeship program because they did not choose to be apprentices. They only happened to work for a fire department that had apprenticeship. These people, who got out of the program when they got promoted or were moved to a different location, would appear to have dropped out. Consequently, Chief Rowan said that, due to their unique situation, the fire fighters could be de-selected from receiving the survey.

V. CAC STANDING COMMITTEE REPORTS

1. California Conference on Apprenticeship – Darell Lawrence
Report attached.
2. Equal Opportunity in Apprenticeship - Commissioner Anne Quick
Report attached.
3. Health & Occupation Safety Committee Report – Commissioner Leo Garcia.
Report attached. Commissioner Garcia asked the Council to reiterate the need for this committee since it has not met for many years. The Council affirmed that there was a need for this standing committee to continue meeting. The Commissioner made a motion that a minimum safety training criteria be added in the state minimum industry training criteria for each of the crafts. He further moved that his report be accepted. The motion was seconded; none opposed; the motion was carried.
4. Rules, Regulations & Operating Procedures – Commissioner Aram Hodess
Report attached.

It was moved and seconded that the CAC Standing Committee reports as given with amendments be accepted. None opposed. The motion was carried.

Chairperson Porter reminded everyone that the Council would reconvene the next day at 9:~~00~~⁰⁰ a.m.

The meeting adjourned for the day at 3:50 p.m.

DRAFT

FRIDAY, JANUARY 26, 2007

I. RECONVENE QUARTERLY CAC MEETING TO ORDER

Chairperson Porter called the meeting to order at 9:00 a.m.

A. Pledge of Allegiance

Commissioner William Callahan led the Pledge of Allegiance.

B. Roll Call

The following Commissioners were present: Bert Tolbert, Dina Kimble, William Callahan, Jr., Leo Garcia, Anne Quick, Max Turchen, Jose Millan, Aram Hodess, and John Rea. Absent were Commissioners Dick Zampa, Jr., Carole Cresci-Colbert, Patrick McGinn, Neil Struthers, Marvin Kropke and Wayne Lindholm.

A quorum was present.

C. Announcements:

1. DAS Deputy Chief Forman reminded everyone to register so that the CAC may have an accurate list of attendees.
2. Deputy Chief Forman also asked ~~if~~ any program that is working with ~~any~~ Youth Build program to contact ~~him~~.
3. Print out of committees members for the different trades will be posted on the website.
4. In the future, Ms. Galang wants to receive feedback regarding the hotel where the meeting is being held. This will help her plan for better venues for future meetings.

D. Communications – There was none.

II. ~~H.~~ EDUCATION AGENCIES REPORT

A. California Department of Education

Al Tweltridge reported that Richard Dahl and himself have both retired and are volunteering their time to help in the transition.

B. California Community College – Barry Noonan (Report attached)

Commissioner Callahan asked Dr. Noonan two questions: (1) Is there a law that would designate any excess money towards deficits in prior year so the money stays in apprenticeship by law? Answer: A couple of CAC meetings ago, it was discussed to move forward with this by the appropriate CAC committee. This could be done by the Legislature and CAC has to push to change it. (2) Is it possible to increase the minimum rate per hour, which has been \$4.86 for many years? Answer: An increase was proposed twice: three years ago and again two years prior to that and twice, it was not granted. Dr. Noonan was unaware of any formal procedure through the CAC to try again. Mr. Tweltridge informed the group that in the Governor's budget released in January, it appeared to have included a 20-cent increase in the rate, which now becomes \$5.06 but there has been some confusion about that. The DOE also received a COLA of a little more than 4% to increase the number of apprentices, not to raise the rate. The confusion is whether they had done both or just one of those two. Dr. Noonan

gave an update of its current activities, i.e. Firestone Bridgeport and some waterworks approvals. He is also in the process of rewriting the approval process particularly in the limited duration approval. Pending DAS approval of the program, the pre-apprentices can go ahead and take the courses suggested by the program sponsors and be credited for those courses when their program is approved by DAS. Commissioner Hodess questioned about issues i.e. facility safety that has to be addressed during the limited duration approval. Dr. Noonan committed to resolving these issues before it is included in his handbook. Director Rea asked, if the apprentice took the courses and he passed them, does the apprentice get the RSI credit. To this, Dr. Noonan said no, because the apprentice is not a state registered apprentice. The advantage to the student is it will allow him/her to get started ahead of time. Regarding the revisions from the programs, DAS will inform Dr. Noonan of the approval so it can be funded. He also gave an update in some pre-apprenticeship programs the Community College is currently working on.

III. REPORTS OF ADMINISTRATIVE and COOPERATING AGENCIES

- A. Division of Apprenticeship Standards – Chief’s report is attached. In addition to his report, Chief Rowan gave an update on issues that have changed from December 31, i.e. personnel hiring and vacancies and the drop survey. He welcomed suggestions and input to improve the survey. He also encouraged everyone to contact DAS for help in consultancy and training. He called on Deputy Chief Forman to give an update on the electronic data interchange (EDI) project, which was progressing as planned. He encouraged everyone interested to get on board with EDI.

The Fresno Office will conduct a training session on the CalPlan and how to work with the CalPlan requirements on March 1. The Chief encouraged attendance from programs that work in that area.

Director Rea has set up a monthly meeting with the different departments of DIR to get them to work together to resolve public works issues on a broader level.

Mark Gonzalez from Northern California Cement Masons expressed his appreciation for the training fund check his program received and the positive direction DAS has taken. He specially thanked the DAS staff, especially Pacia Parker for their dedication. He indicated to Deputy Chief Forman that his program wished to utilize EDI.

- B. Office of Apprenticeship – Patricia Garcia’s report is attached.
- C. California Apprenticeship Coordinators’ Association (CACA) – Pat Pico’s report is attached. In addition, Mr. Pico thanked Dan Whooley, who retired after 30 years in apprenticeship, for his hard work, dedication and mentorship. He also congratulated Al Tweltridge and Richard Dahl on their retirement and thanked them for their dedication and service to the apprentice community.

- D. California Association for the Advancement of Apprenticeship Training (CAAAT) – Trish Black’s report is attached.
- E. Women in Non-traditional Employment Roles (WINTER) – No representative was present but Ms. Galancid submitted her report and is attached.
- F. CDCR (former CYA) – Larry Cone gave an update on CDCR. The agency still experienced declining numbers. They are down to 2,600 kids. Their biggest issue was transitioning their kids from the agency to the communities. They are currently piloting an apprenticeship program where kids will be given a list of apprenticeship programs where they can transition more productively.

Chairperson Porter thanked everyone for coming and participating in the meeting and informed that the next meeting would be in Burlingame, May 3rd and 4th. It was moved and seconded that the meeting be adjourned. The meeting was adjourned at 10:30 a.m.

Respectfully submitted:

AUREA GALANG
Staff Aide